IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 15234 of 2007(L)

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PETITIONERS:

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1. K.M.ABDUL RAZAK, KAROTHUKUDY HOUSE,
   ALLAPRA P.O., KANDATHARA, PERUMBAVOOR.

2. SALIM K.K., KOKKADAN HOUSE,
   ALLAPRA P.O., KANDATHARA, PERUMBAVOOR..

3. M.J.JOY, MANEKDUY HOUSE,
   KAMBANAD P.O., VENGOOR VIA., ERNAKULAM.

4. NOUSHAD K.A., KALARIKKAMUSAL HOUSE,
   PERANMGALA P.O., PINARMUNDAKARA.

5. ABDULLA T.K., S/O. KOCHAMMU,
   CHORLIKARA WARD - 9, NEAR WATER AUTHORITY, ALUVA.

6. ALIYAR S.A., SRAMPUKKAL,
   VALLAMKARA, CHALAMATTOM.

7. MATHEW V.O., VATTAKATTU HOUSE,
   WEST VENGOLA P.O., PERUMBAVOOR.

8. ELDHO K.CHERIAN,
   KANJIRATHUMKUDY HOUSE, ARUVAPPRA P.O., NEDUNGAPRA.

9. RASSAC V.P.,
   VADAKKEKUDY HOUSE, VALLAM P.O., RAYONPURAM,
   PERUMBAVOOR.

10. EBRAHIMKUTTY A.P., S/O. PAREKUTTY,
    MULLASSERY VEEDU, CHOVVARA P.O., NEDUVATHOOR,ALUVA

11. JAMAL C.H., AGED 40 YEARS,
    S/O. C.P. HYDROSE, CHINDATHIL VEEDU, ALLAAPRA P.O.
    VENGOLA.

12. JOHNSON SAMUEL, MENOTHUMALI,
    RAYELPURAM P.O., KANJIRAKKAD.

13. ABDUL AZEEZ, NATHEKKADU VEEDU,
MARAPPILLY P.O., NORTH EZHIPURAM.

14. EBRAHIM V.A., VALAIPPILLY VEEDU,
BRAHMAPURAM, AMBALAMEDU.

15. ABDUL RAHIM M.M., S/O. MAHINKUTTY,
MALIYAL PEEDIKKAL, KANJIRAKKAD, PERUMBAVOOR.

16. JASMINE SHAFFEQ, NANETHAN VEEDU,
RAYENPURAM P.O., VALLAM.

17. SHIJI JACOB, MULEKUDY VEEDU,
NEAR KSRTC BUS STAND, PERUMBAVOOR.

18. EBRAHIM, MULLASSERY VEEDU,
CHOVVARA P.O., PERUMBAVOOR.

19. MUHAMMED HAFEEK, S/O. BEERANKUNJU,
MUKKADA VEEDU, MARAPILLY, PALLIPRAMKARA.

20. SHAJI JACOB, S/O. PAUL MATHEW,
MOILEENKUDY, PULLUVAZHY P.O., PERUMBAVOOR.

21. K.M.NAZER, S/O. MOHAMMED ALI,
KOROTHUKUDY, ALAPPARA, KADANTHARA A BLOCK.

22. P.A.NOUSHAD, S/O. ABDUL RAHMAN,
PALIPARAMBIL, PERUMBAVOOR.

BY ADV. SRI.G.JANARDHANA KURUP (SR.)
SRI.E.C.BINEESH
SRI.K.N.SASIDHARAN NAIR
SRI.B.VINOD

RESPONDENTS:
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1. PERUMBAVOOR MUNCIPAL COUNCIL,
REPRESENTED BY ITS CHAIRMAN.

2. PERUMBAVOOR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.V.M.KURIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX(WPC 15234/07)

PETITIONERS' EXTS.:

EXT.P1: TRUE COPY OF THE ORDER ISSUED BY THE PERUMBAVOOR MUNICIPAL SECRETARY.

EXT.P2: TRUE COPY OF THE REPRESENTATION DATED 18.1.2006 BEFORE THE MUNICIPAL SECRETARY.

EXT.P3: TRUE COPY OF THE NOTICE ISSUED BY THE PERUMBAVOOR MUNICIPAL SECRETARY.

**PIUS C. KURIAKOSE,J.**

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W.P.(C) No.15234 of 2007

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Dated: 11th September, 2007

**JUDGMENT**

Ext.P3 impugned order is obviously appealable to the Tribunal for Local Self Government Institutions. Mr.B.Vinod, learned counsel for the petitioners submits that the grievance which is voiced by the petitioners is that equals have been treated unequally by the Municipality and the said grievance will have to be got redressed at the hands of a Constitutional Court. The Tribunal for Local Self Government Institutions is a judicial Tribunal and the said Tribunal will also be equally anxious to ensure that principles of natural justice are not violated by the statutory authority. I relegate the petitioners to the remedy by way of appeal against Ext.P3. If the petitioners prefer appeal against Ext.P3 within three weeks from today, the Tribunal will entertain the appeal and dispose of the same in accordance with law.

The Writ Petition is disposed of as above. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**